

Minutes
LAFAYETTE TOWNSHIP BOARD OF TRUSTEES
Regular Meeting
Monday, November 16, 2020

Members Present: Trustee Lynda Bowers, Trustee Michael Costello, Trustee Martin Warchola, Fiscal Officer Laura Ruebensaal and Legal Counsel William Thorne.

The Lafayette Township Board of Trustees, Medina County, Ohio met in Regular session on Monday, November 16, 2020 at 6:00 p.m. at the Lafayette Township Town Hall, 6776 Wedgewood Road, Medina, OH. Notice of this meeting was consistent with ORC 121.22 and the township's open meeting policy.

Meeting called to order: 6:00 p.m. followed by the Pledge of Allegiance

Trustee Warchola moved to approve the meeting minutes of the September 21, 2020 Regular meeting, the Special meeting of September 28, 2020, The Special meeting of October 23, 2020 and the Special meeting of November 3, 2020. Trustee Costello seconded the motion. All voting in favor.

Trustee Bowers explained a few years ago the township obtained a free steel shipping container, and that container is no longer needed for any public purpose. To dispose of the container, the Board offered it by bid pursuant to the auction guidelines set forth in the annual resolution with all guidelines being followed. The Board of Trustees acknowledged one sealed was submitted for the steel shipping container. The only sealed bid was received from Mr. Kenneth Wynott in the amount of \$100.00.

Trustee Costello made a motion, seconded by Trustee Warchola, awarding the bid for the steel shipping container to Mr. Kenneth Wynott as he is the winning and only bid. All voting in favor.

Financial Report:

Trustee Bowers explained the Auditor's Office has reviewed both resolutions regarding the Coronavirus relief funds Lafayette Township has submitted. The first resolution cited the two amounts received. The Board did not appropriate the entire amount but recited its receipt. The Board now must appropriate the balance plus the new receipt of approximately \$211,000.00. Trustee Bowers will send communication to the Auditor's Office along with both resolutions explaining how it was done. Once complete, she will pass the Coronavirus Relief Fund file to Ms. Ruebensaal which has the chronological history.

Resolution 27-2020 Trustee Warchola moved to approve, seconded by Trustee Costello, a resolution adjusting certain appropriations in compliance with the expenditure of coronavirus relief distributions and the original 124.3 appropriated for the purchasing of the equipment will stand and adjust the balance for emergency first responder staffing to \$131,614.10 which reflects the reduction of \$5,3335.11. All voting in favor.

Ms. Ruebensaal explained the UAN Fire District is required to be separated from the township UAN. The Fire District UAN has been ordered and is expected by months end. Ms. Ruebensaal announced a Fiscal Officer Assistant has been hired and welcomed Ms. Kim Detchon to the position.

Ms. Martha Evans supplied a printout of the elected officials and employee annual salaries and benefits. She requested the Board review in depth the information provided. Ms. Evans presented her concerns with the lack of monies remaining in the General Fund. She explained the process necessary to expunge the zoning fund. Trustee Bowers explained the Board is aware of the situation concerning the General Fund which is not an income issue as it is an allocation issue. Chippewa Lake Village is still in the township, instead of three inside mills going into General Fund, which is what occurs in every other township, Lafayette has 4/10 of a mill going

into General Fund. Trustee Bowers has started dialogue with the State Auditor's office regarding the paperwork to reallocate where expenses can go in order to remove them from the General Fund. She requested if Ms. Ruebensaal and/or Ms. Evans need to communicate with the state to do so with Trustee Bowers present. Trustee Bowers said the Board understands this will be a budgeting issue for 2021 but believes they have a handle on it.

Ms. Evans has been placing zoning income in the General Fund and cannot move the carryover until she prepares the amendment for the year end carryover and the balance left will automatically transfer to General Fund.

Ms. Evans explained Lafayette Township Board of Trustees is a Board with two separate entities. The Fire District will now be a separate entity requiring its own meeting, resolutions, financial statements, and minutes. Ms. Evans will provide the amended and temporary appropriations for the next meeting. Trustee Bowers anticipates the Board having the 2021 budget prepared for the next meeting so rollover can be completed, and the books can close. Trustee Bowers said the former fiscal officer always requested the budget be complete because when temporary appropriations were done it caused additional work for her. Ms. Evans explained the fiscal officer assistant position must be limited to the fiscal office duties as it is a complex job.

Ms. Evans updated the Certificate due to the additional real estate taxes that have been received.

Trustee Bowers said Mr. Evans has received the Engineers estimates as follows:

- Chip/seal Ryan Road from the southern township line to Route 162 (as this is the township portion of Ryan Road) = \$47,419.00
- Ballash Road from the southern township line to Route 162= \$19,400.80
- Chip/seal Eastlake Road = \$14,849.00

Total 2021 Road Projects= approximately \$82,000.00

Eastlake Road divides Lafayette and Westfield Townships. Lafayette township is required to maintain the northern side of Eastlake while Westfield Township maintains the southern portion therefore both townships work together maintaining the road. Westfield Township assumed the cost of shimming and asphalt work on Eastlake Road this year.

Trustee Bowers moved to approve the Medina County Engineers send to bid, Ryan Road from township line to State Route 162, Ballash Road from the township line to Route 162, and all of Eastlake Road. Trustee Costello seconded the motion. All voting in favor. The Medina County Engineers office will not send out to bid until early spring.

Mr. Evans will prepare figures for the Carsten Road bridge project including the OPWC funds for the budget meeting. He estimates a cost of \$188,000.00 with the township paying 26% which is an approximate cost of \$50,710.00.

Service Dept:

Mr. Evans reported:

- He requested the Board consider collecting the cemetery footer fee at the time a cemetery lot is purchased. The average cost of a footer is \$518.40. This would greatly reduce the amount of time spent processing the necessary paperwork. Additionally, Mr. Evans stated he has been having difficulty enforcing the policy per the cemetery rules and regulations requiring the placement of headstones within the one-hundred and eighty days of a burial. Trustee Bowers will prepare a written resolution to present at next months meeting.
- Mr. Evans requested the Board consider purchasing a tree chipper. This is a piece of equipment that is difficult to share with another entity as most of the time when there are numerous trees down it is across the entire county
- Mr. Evans addressed fiscal officer Laura Ruebensaal's request of placing an outdoor light on the side of the administration building. He suggested for her own safety she use the main entrance that has two lights installed and where her vehicle would be more visible from the road. He also informed her that he

frequently parks equipment along the side of the administration building as he is limited where equipment can be parked

Trustee Costello thanked Mr. Evans for the hard work and for coming in on to handle all the down trees and power lines due to the intense winds on Sunday.

Chief Winter, Seville Fire Department, provided the first documentation regarding the acquisition of the Chippewa Lake station. Trustee Bowers reviewed the following history. The current Chippewa Lake Fire Station was built with a \$7,500 loan in 1961 by a private association known as the Chippewa Lake Volunteers Firemen's Association. In 1962, the association no longer had the finances to assume the responsibilities. It was then negotiated with Lafayette Township with the township assuming the remainder of the \$5,561.00 loan and paid it off. Therefore, the paperwork confirms the township purchased the building. The building transfer occurred in December 1962. Trustee Bowers explained how the building sits in two parcel numbers and she is currently in the process of having the Medina County Engineer's Office rewrite the legal description for the property. All paperwork is attached. Trustee Bowers said since she has been a trustee the taxpayers of Lafayette have paid approximately \$250,000 into the station. By the Board of Trustees donating the building to the Medina County Commissioners with a deed restriction, the building will continue to serve the residents of Lafayette Township, Chippewa Lake Village and Gloria Glens Village in a safety capacity for many more years. Trustee Bowers said Lafayette Township has to base its decision on the best interest of the people the Board represents. The Board of Trustees signed the deed and had it notarized for the transfer of the Chippewa Lake station.

Trustee Bowers said Lafayette Township is very fortunate to have the Medina County Health department considering us as a distribution site for Coronavirus vaccines. The Lafayette Township Safety Services building will make it easy as a drive through distribution site. Mr. Thorne has reviewed and approved the Memorandum of Understanding. Chief Winkler has completed the necessary paperwork. Trustee Bowers suggested having Medina City Police Department, Health Department, a trustee present along with the Chief during the organizational meeting.

Trustee Warchola moved to approve the Memorandum of Understanding utilizing the Lafayette Township Safety Services building as a distribution site for the Coronavirus vaccinations. Trustee Costello seconded the motion. All voting in favor.

Fire Department Report:

Chief Winkler reported:

- Provided a list of expired gear in need of replacement
- Chief requested the Boards status on filling officer positions
- Submitted a MARCS grant application for mobile radios for the apparatus in an amount of \$24,877.00 and will keep the Board informed
- Chief confirmed there has been adequate staffing and does not feel additional staff is needed at the present time
- Trustee Costello asked if protocols have been reinstated with additional added within the department due to the increase in coronavirus cases to keep staff protected. Chief Winkler said not as of yet, but believes it is the direction they are headed. The Board agreed with Chief that all extracurricular activities within the department be placed on hold until such time the virus is under control
- An individual was saved from a full arrest utilizing the new LUCAS device. The effort worked seamlessly. He was happy to report the individual has been released and is doing remarkably well
- Seville/Guilford Township inquired whether Lafayette Township would consider loaning engine 101-1 while they have their engine built. Seville/Guilford is trading in their old engine in January and will be without a back-up for approximately one year. Chief confirmed engine 101-1 is a back-up to our back-up. Chief Winkler recommends allowing them to borrow Lafayette's.

Discussion took place concerning how insurance would work when loaning the equipment to Seville/Guilford. Trustee Bowers suggested leasing it for a "token amount" for ease of Seville/Guilford insuring the engine while

in their possession. Chief Winkler confirmed the engine has been stripped of all equipment and will be sent bare. Trustee Bowers will forward the necessary documents to Chief for his review and he can then work with Chief Winter.

Chief Winkler reported he was unable to attend the fire in York Township recently due to a personal commitment but praised the work of all involved. He reported Lafayette Township did lose a bunker coat due to the intense heat and the department will need to replace it.

Chief Winkler has obtained and forwarded quotes to the Board for the replacement of the department pick-up truck. The Board will review and discuss the quotes during budget meetings.

Zoning Report:

Ms. Strogin reported for the month of October 2020 the total estimated value to date is \$17,966,167.80 with 2019 totals at \$5,816,192.00. The fees to date are \$42,525.09 with a total in 2019 at \$16,050.65. Ms. Strogin gave a brief explanation of a property within the township that was once part of a large parcel of property that contained a house and a barn. Quite some time ago, the property was split (prior to Ms. Strogin being appointed inspector) separating the house from the barn. Ms. Strogin received a call from a resident regarding the neighbor who recently purchased the property that contains the garage, with no residence. The new property owner is not a resident of the township and has a hobby of collecting of old/antique vehicles which he restores. The lady who called in said the property owner is collecting junk and is also upset because the property does not have electricity and the gentleman is using a noisy generator while working on the many vehicles. From what the township has observed, the vehicles are registered, most as historical. Trustee Bowers reached out to the realtor who sold the property in an attempt to make contact with the property owner to gain his insight on what the property is being used for, but the realtor declined giving out the information. In the past, the township has gone to state legislature requesting the same authority as cities and villages when assisting residents of the community. The township cannot prevent property owners from utilizing their property in certain ways.

Legal Counsel, Bill Thorne said it would be near impossible considering this property is pre-existing, to have the courts intervene unless it is an extreme case. Ms. Strogin recited the statutory language within the zoning resolution. Trustee Bowers noted the language follows the Ohio Revised Code. Mr. Thorne instructed the Board to inform the complainant of the statutes and allow her to take her own action.

Discussion took place regarding Ms. Buell having additional duties added to her job description which could lead to a full-time position in early 2021. The Board will hold additional discussion during budget meetings.

Community Resource Report:

Ms. Detchon reported she is finalizing the necessary paperwork for safety town and is prepared to start; however, she does not believe safety town will occur in 2021 due to the pandemic. Ms. Detchon is pleased to announce she has started training for her new position as fiscal assistant and noted she will also be assisting in the fire department.

Trustee Bowers will prepare the annual Request for Qualifications to be sent out in December and review during the Organizational meeting.

Trustee Bowers will meet with Fiscal Officer, Laura Ruebensaal prior to budget meetings.

Trustee Bowers requested Board permission to send out a newsletter within the next two weeks. The newsletter will contain information regarding the Visit from Santa.

Trustee Bowers said for several years the trustees have personally donated numerous turkeys to the Lafayette United Methodist Church for their annual Community Thanksgiving meal. The township sends notification to residents in need encouraging them to attend. Due to COVID the church will be hosting the dinner as a take home drive through event on Saturday, November 21st 4:00 to 6:00 p.m. The Board of Trustees willingly volunteered to deliver meals to those individuals that are not able to get out.

Mr. Albert Johnson, Ryan Road voiced his discontent over the political signs that contain vulgar on Ballash Road and become visibly upset. Mr. Thorne informed Mr. Johnson the Board of Trustees control the meeting, and he must comply. Mr. Johnson was agitated with the Board of Trustees for not responding to his calls sooner. He was extremely upset with Trustee Costello once he made contact that Trustee Costello was unable to have the signs removed. Trustee Costello recalled the conversation and the request and informed Mr. Johnson during the conversation, he did not have the authority to have the signs removed. Mr. Johnson said he is not opposed to the sign because he is a democrat, he is more concerned with young children seeing the vulgar. Trustee Bowers had previously tried to explain to Mr. Johnson the Board of Trustees are not fond of the language either however, the Board does not have the authority have signs removed and the Board is not willing to get sued over violating an individuals civil rights. Trustee Bowers said Mr. Johnson would have to convince the legislature to give the Board the authority to take away individuals freedom of speech, which in this case includes vulgar language. Mr. Johnson said this type of sign is tasteless. Mr. Johnson said he was tormented, intimidated, stalked, harassed, and threatened over the political display in his yard, resulting in numerous calls to the Medina Police Department. Medina Police Department suggested in order to help Mr. Johnson feel safe, perhaps he should consider removing the display. Mr. Johnson was upset at the suggestion. Trustee Bowers said she has received far more calls regarding Mr. Johnsons political display than she has ever received. She said the township could not force that homeowner to remove his political sign no more than they could enforce Mr. Johnson to remove his display. Trustee Bowers asked if Mr. Johnson heard the saying, "I might not like what you say but I will defend your right to the death to say it" because our constitution guarantees people certain rights. Trustee Bowers acknowledged Mr. Johnson took a lot of "heat" over his political display and explained that Trustee Costello was trying his best to inform Mr. Johnson what the township has and does not have authority to do. Mr. Johnson apologized to Trustee Costello for his aggressive behavior and apologized to Trustee Warchola for accusing him of not contacting him back when in fact Mr. Johnson had an incorrect phone number for Trustee Warchola.

Meeting adjourned at 7:24 p.m.

Approved: _____

Lynda Bowers, Trustee

Michael Costello, Trustee

Martin Warchola, Trustee

Laura Ruebensaal, Fiscal Officer

Resolutions & Motions

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